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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Craig L. Reding

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VERIZON

PATENT MANAGEMENT GROUP

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EXAMINER

PATEL, HEMANT SHANTILAL

ART UNIT

PAPER NUMBER

2614

NOTIFICATION DATE

DELIVERY MODE

08/20/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 10/720,920	Applicant(s) REDING ET AL.	
	Examiner HEMANT PATEL	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's submission filed on June 25, 2008 has been entered. Claims 1-4, 6-12 are pending in this application.
2. In view of the Appeal Brief filed on June 25, 2008, PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution.

Specification

3. The disclosure is objected to because of the following informalities: The specification on pgs. 2-4 references many application without actual US Patent Application Numbers.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-4, 6-12 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. For independent claims 1 and 10 limitation “receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device”, the Applicant has indicated, in the Appeal Brief dated June 25 2008, support for this feature in the instant application specification e.g., page 6, lines 5-8; page 19, line 15 - page 20, line 3; page 23, line 20 - page 24, line 2; and page 26, lines 1-10 (Remarks, pg. 3 ll. 2-5, ll. 18-21).

6. Specification page 6, lines 5-8 “[010] Consistent with the present invention, as embodied and broadly described herein, methods and systems provide a user of a wireless device with notifications of incoming calls, voice mail messages, and SMS messages for devices other than the user’s wireless device” (emphasis added) indicates that the user is provided with notifications but it does not describe “receiving, at the

server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device”.

7. Specification page 19, line 15 - page 20, line 3 “[058] In general, a digital companion server 406 may provide the software and hardware for providing specific services of service center 106. Exemplary services include, for example, permitting a user 110 to add contacts to an address book from a history of calls made or received by user 110, permitting a user 110 to make calls from numbers retrieved from their address book, scheduling a call to be placed at a specific time, or permitting the user 110 to access and view a name and/or address associated with a phone number. Additionally, these services may include permitting the user 110 to listen to voice mail messages on-line over the Internet, forward their calls based on a scheduler and/or the calling parties number, setting up conference calls on-line, etc. Particularly, the user may receive a notification of incoming calls, voice mail messages, and SMS messages for devices 114-122 other than the user's home phone 112” (emphasis added) indicates that the user may receive notification but it does not describe “receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device”.

8. Specification page 23, line 20 - page 24, line 2 “[071] Notification server function 520 provides the capability to send information from service center 106 to a user terminal 112. For example, notification server function 520 at the direction of application server function 516 may send a notification to user terminal 1 12 that the user is presently receiving a phone call at user's phone 114” (emphasis added) indicates that

the server sends notification but it does not describe “receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device”.

9. Specification page 26, lines 1-10 “[078] User profile database 532 includes storage devices for storing user profile information for the user. These storage devices may be the same or separate storage devices used for the contacts database. The user profile may include information regarding the user's account for their voice network. For example, this information may include the user's name, billing address, and other account information. Additionally, the user profile may include information regarding voice services to which the user subscribes, such as, for example, call waiting, voice mail messages, etc. Using these services, the user may receive notifications of incoming calls, voice mail messages, and SMS messages for devices other than the user's wireless handset” (emphasis added) indicates that the user may receive notifications but it does not describe “receiving, at the server, a selection, made by the user, of another one of the communication devices for which notifications are to be transmitted to the preferred communication device”.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claims 1-4, 6-8, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis (US Patent No. 6,463,464 B1), and further in view of Pershan (US Patent No. 5,982,870).

Regarding claim 1, Lazaridis discloses a method for providing a notification to a preferred communication device of a plurality of communication devices associated with a user, wherein each of the communication devices can be designated as the preferred communication device, the method comprising:

receiving, at a server, a notification from one of the communication devices indicating that incoming data has been received at the one communication device (col. 8, ll. 43-55, send the message back over the LAN, WAN and gateway);

transmitting the received notification to the preferred communication device (col. 8, ll. 43-62, delivering repackaged email to mobile device).

Lazaridis is not specifically clear about receiving user selection of another device for user devices for which notifications are to be redirected to the preferred device.

However, in the same field of communication, Pershan teaches of subscriber selecting his/her other multiple devices (telephone lines) for which redirection is to be performed and the server receiving this selection of the user (Abstract; col. 3 ll. 44-48, col. 4 ll. 24-47, col. 7 ll. 37-col. 8 ll. 62).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Lazaridis server to receive a user selection of multiple of his/her devices for which redirection to the preferred destination device is desired as taught by Pershan in order "to redirect calls to all of its lines to a single substitute line" (Pershan, col. 2 ll. 61-62) by "redirecting with ease a large quantity of telephone numbers in groupings selected by the subscriber" (Pershan, col. 2 ll. 65-67).

Regarding claim 2, Lazaridis teaches a method of notification of email, which inherently is stored in the email server database until it is delivered (col. 7 ll. 38-42).

Regarding claim 3, Lazaridis teaches of selecting the device from wirelessly enabled hand-held computer, palm-top computer, a mobile phone or laptop (col. 6, ll. 38-44), and also FAX machine, a printer, voice mail (col. 6, ll. 14-37). Pershan teaches of selecting from plurality of devices (col. 2 ll. 47-62).

Regarding claim 4, Lazaridis teaches the use of calendar and programmable timer to start redirection of configured events (col. 3, ll. 14-41; col. 11, ll. 35-48; col. 12, ll. 17-31; these are provided by host system and host system is defined as the system performing redirection program, and this system is also network server col. 2, ll. 58-65). Pershan teaches of user selection of a time period during which redirection is performed (Fig. 5(b), col. 8 ll. 46-62).

Regarding claim 6, Lazaridis teaches the redirecting of message and data based on selected senders (col. 12, ll. 15-16). Pershan teaches of redirecting based on calling party (Fig. 5(e), col. 9 ll. 26-37).

Regarding claim 7, Lazaridis teaches that the notification triggers to begin redirection of notifications are based on calendar event (col. 3, ll. 14-41; col. 11, ll. 35-37, ll. 43-46). Pershan teaches of redirecting based on time periods (col. 8 ll. 46-62).

Regarding claim 8, Lazaridis teaches of selecting the preferred communication device (col. 6, ll. 38-44) based on calendar event (time of day; col. 3, ll. 14-41; col. 11, ll. 35-37, ll. 43-46) **or** a sender (calling party) (col. 12, ll. 15-16). Pershan teaches of redirecting based on time periods (col. 8 ll. 46-62) **or** redirecting based on calling party (col. 9 ll. 26-37).

Regarding claim 10, it recites an apparatus performing functionality substantially same as the method claimed in claim 1. Lazaridis teaches of such an apparatus (Fig. 1) and Pershan teaches of such an apparatus (Figs. 2-3). Refer to rejection for claim 1.

Regarding claim 11, Lazaridis teaches of storing of the preferred list of user-selected senders whose messages are to be redirected (col. 12, ll. 15-16). Pershan teaches of redirecting based on calling party (col. 9 ll. 26-37).

Regarding claim 12, Pershan teaches of database indicating time periods during which redirection is performed (Fig. 5(b), col. 8 ll. 46-62).

13. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis modified by Pershan as applied to claim 1 above, and further in view of Skidmore (US Patent Application Publication No. 2003/0036380 A1).

Regarding claim 9, Lazaridis discloses supporting any device capable of sending and receiving any data communication messages inherently suggesting the support for SMS (col. 6, ll. 38-44), but Lazaridis modified by Pershan does not explicitly teach the use of SMS.

However, in the same field of communication, Skidmore teaches of using SMS as notification message using email server for redirecting message from the home PC (Paragraph 0012).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Lazaridis modified by Pershan to use SMS messages as taught by Skidmore in order to communicate with a mobile device using a ubiquitous short message service with a fixed cost per message.

14. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lazaridis modified by Pershan as applied to claim 1 above, and further in view of Tran (US Patent No. 6,154,646).

Regarding claim 9, Lazaridis discloses supporting any device capable of sending and receiving any data communication messages inherently suggesting the support for SMS (col. 6, ll. 38-44), but Lazaridis modified by Pershan does not explicitly teach the use of SMS.

However, in the same field of communication, Tran teaches of using SMS as notification message for call handling and redirection (col. 3, ll. 60-col. 4, ll. 9).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Lazaridis modified by Pershan to use SMS message for notification in call handling and redirection as taught by Tran because SMS transport is real time, as opposed to Internet Protocol (IP) which is not real time (Tran, col. 3, ll. 13-15).

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,329,578	Brennan	
US Patent Application Publication No. 2004/0156491		Reding
US Patent Application Publication No. 2004/0264654		Reding
US Patent Application Publication No. 2005/0053221		Reding
US Patent No. 7,315,614	Bedingfield	
US Patent No. 7,379,538	Ali	
US Patent Application Publication No. 2003/0142798		Gavette
US Patent No. 5,222,125	Creswell	
US Patent Application Publication No. 2003/0069874		Hertzog
US Patent Application Publication No. 2002/0082028		Wittenkamp

Art Unit: 2614

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HEMANT PATEL whose telephone number is (571)272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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